

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

11/06/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR 02-00176DAE
CASE NAME: USA v. (10)Edward Mersburgh
ATTYS FOR PLA: Jonathan Loo
ATTYS FOR DEFT: (10)William Domingo
USPO: Ellie Asasaki

JUDGE: David Alan Ezra

REPORTER: Cynthia Fazio

DATE: 11/06/2006

TIME: 10:30am-11:15am

COURT ACTION: EP: Sentencing to Count 18 of the Superseding Indictment as to Defendant (10)Edward Mersburgh.

Defendant (10)Edward Mersburgh present in custody.

The Memorandum Plea Agreement is accepted.

Presentence Report adopted. Sentencing recommendations heard. Allocution by Defendant (10)Edward Mersburgh.

SENTENCE:

Imprisonment: TIME SERVED

Supervised Release: 1 YEARS

CONDITIONS:

1. Defendant shall abide by the standard conditions of supervision.
2. Defendant shall not commit any federal, state, or local crimes.
3. Defendant shall not possess illegal controlled substances.

4. Defendant shall cooperate in the collection of DNA as directed by the probation officer.
5. Defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter, but no more than 8 valid drug tests per month during the term of supervised release, as directed by the Probation Office.
6. Defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. Defendant shall participate in a substance abuse program, which may include drug and alcohol testing, at the discretion and direction of the Probation Office. Defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
8. Defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.
9. Defendant is prohibited from the possession and use of alcohol.

Special Assessment: \$100.00.

Government's Oral Motion to Dismiss All Remaining Counts as to this Defendant Only - GRANTED.

Defendant advised of his right to appeal.

Defendant to be released by the U.S. Marshals.

Submitted by: Theresa Lam, Courtroom Manager